

Patent



AP7 Rec'd PCT/PTO 23 JAN 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hisami Shinohara et al. : Examiner: N/A
Serial No.: 10/506,878 : Group Art: N/A
Filed: September 3, 2004 :
For: Body Temperature Elevating Agents :

RECEIVED

15 FEB 2006

Legal Staff
International Division

**INFORMATION DISCLOSURE STATEMENT AND PETITION FOR
CONSIDERATION UNDER 37 CFR § 1.97**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO 1449. Copies of the listed documents are enclosed along with a partial European Search report.

This information is being submitted subsequent to filing and before the mailing of a first office action. Accordingly, pursuant to 37 CFR § 1.97(d), the undersigned submits that no fee is presently due.

02 JAN 2006 10 2:00

Petition under 37 CFR § 1.97(d)

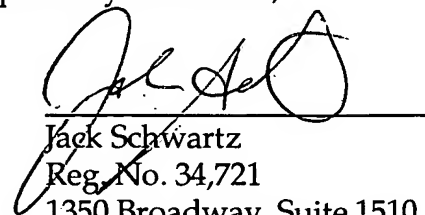
The undersigned hereby petitions that the Examiner consider the information cited in this Statement. As this petition is filed after filing of the application and before mailing of a first office action it is respectfully submitted that no fee is due. However, if a fee is due please charge the fee to Patent and Trademark Office Deposit Account No. 50-2828.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

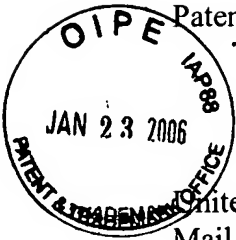
By:



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Dated: January 19, 2006

Patent Application No. 10/506,838

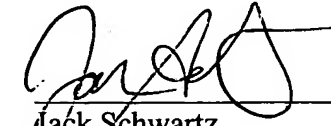


CERTIFICATE OF MAILING

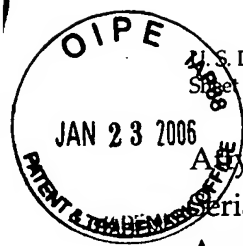
I hereby certify that this Information Disclosure Statement is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Mail Stop Amendment, Commissioners for Patent, P.O. Box 1450, Alexandria, VA 22313-1450 on:

January 19, 2006

Date



Jack Schwartz
Reg. No. 34,721



LIST OF REFERENCES CITED BY APPLICANT

Appy Docket No.: 1083-4

Filing Date: September 3, 2004

Serial No.: 10/506,878

Group Art: N/A

Applicant: Hisami Shinohara et al.

U.S. PATENT DOCUMENTS

*Ex. Intls.		Document No.	Date	Name	Class	Subclass	Filing Date
	AA						
	AB						
	AC						
	AD						
	AE						

FOREIGN PATENT DOCUMENTS

*Ex. Intls		Document No.	Date	Country	Name	Class	Sub-class	Translation Yes/No
	AF							
	AG							
	AH							
	AI							
	AJ							

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AK		Nancy J. Rothwell et al. "Stimulation of thermogenesis and brown fat activity in rats fed medium chain triglyceride" Metabolism, Clinical and Experimental, W.B. Saunders Co., Philadelphia, PA, US, vol 36, no. 2, February 1987 (1987-02), pages 128-130, XP002973520
	AO		
	AP		

EXAMINER: _____ DATE CONSIDERED: _____

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.